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PTO/SB/21 (08-03) Approved for use through 08/30/2003. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE er the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid QMB control number. **Application Number** 10/694,383 Filing Date TRANSMITTAL October 27, 2003 **FORM** First Named Inventor 111 Kandimalla et al. (to be used for all correspondence after initial filing) Art Unit **Examiner Name** NΑ Attorney Docket Number **HYB-005US4** Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication to Technology Center (TC) Drawing(s) Fee Transmittal Form Appeal Communication to Board Licensing-related Papers of Appeals and Interferences Fee Attached Appeal Communication to TC Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a **Proprietary Information** Provisional Application After Final Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Terminal Disclaimer Identify below): **Extension of Time Request** Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) * Copy of postcard * PTO Form1 449 Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Wayne A. Keown, Ph.D. (Reg. No. 33,923) Individual name Signature Date 215 04 CERTIFICATE OF TRANSMISSION/MAILING

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Kandimalla et al.

Serial No.:

10/694,383

Filed:

October 27, 2003

Entitled:

Modulation of Immunostimulatory Activity of

Immunostimulatory Oligonucleotide Analogs by Positional

Chemical Changes

Examiner:

NA

Group Art Unit:

NA

Attorney Docket No.:

HYB-005US4 (1006/006)

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants and their attorney are aware of the following publications and information listed on the attached PTO Form 1449, and in accordance with 37 C.F.R. §1.97 hereby submit these publications for the Examiner's consideration.

Applicants state that the current application is a Divisional application claiming priority to U.S. Patent Application Serial No. 09/965,116, filed September 26, 2001. Applicants also state that the references listed on the attached PTO Form 1449 were previously cited in the parent case and therefore copies of the references are not enclosed herewith.

This submission does not represent that a search has been made and does not constitute an admission that the listed documents are material to patentability or that the listed documents are prior art. If it should be determined that any of the listed documents constitute "prior art" under United States law, Applicants reserve the right to present to the Office relevant facts and law regarding the appropriate status of such documents.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits and is therefore submitted as both timely and proper. Therefore, no fees are believed to be due.

Respectfully submitted,

Date: 2/5/04

Wayne A. Keown Reg. No. 33,923

Keown & Associates 500 West Cummings Park Suite 1200 Woburn, MA 01801 781-938-1805 (Telephone) 781-938-4777 (Facsimile) Subt. Form PTO-1449

INFORMATION DISCLOSURE

IN AN APPLICATION

Docket Number HYB-005US4

Application Number 10/694,383

Applicant

(Use several sheets if necessary)

Kandimalla et al. Filina Date

Sheet OF 2

Group Art Unit 10/27/03 NA

U.S. Patent Documents						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,149,798	09/22/92	Agrawal et al.	536	27	

Foreign Patent Documents							
EXAMINER DOCUMENT DATE COUNTRY CLASS SUBCLASS				SUBCLASS	TRANSLATION		
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	WO99/62923		PCT	1	1		l

	Other Documents (Including Author, Title, Date Pertinent Pages, Etc.)
C1	Khorana et al. (1972) "Studies on Polynucleotides," J. Molec. Biol. 72:209
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EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP § 609: Draw Line through citation if not conformance and not considered. Include copy with next communication to applicant.

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